



Via Electronic Filing

May 20, 2024

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street, N.E. Room 1-A
Washington, D.C. 20426

Re: Great River Hydro, LLC; FERC Project Nos. 1892, 1855 and 1904
Applications Accepted for Filing; February 22, 2024
Response to Notice for Solicitation of Comments and Preliminary Conditions

Dear Secretary Reese,

The Mount Ascutney Regional Commission (MARC) is established in Vermont law [24 V.S.A. Chapter 117, Subchapter 3] as a regional planning commission that serves ten towns in southeastern Vermont within the Connecticut River Watershed. MARC adopted our Regional Plan on October 14, 2022, which contains goals and policies to guide development in the region, including specific policies regarding hydroelectric facilities. The relevant policies from the Regional Plan are excerpted below.

FERC Project Numbers 1892, 1855 and 1904 impact this Region. As such, MARC fully supports the comments submitted by the Connecticut River Joint Commissions in May 2024 on these projects, and wishes to submit the following specific comments for your consideration.

MARC recognizes the importance of renewable energy production, such as the three dams operated by Great River Hydro/Hydro Quebec along the lower Connecticut River in Vermont and New Hampshire. Our Regional Plan also recognizes potential negative impacts of dams. The Plan articulates the various other important values of the Connecticut River and the surrounding valley (e.g., wildlife habitat, archeological, historical, recreation, transport of water and sediment, impacts on Long Island Sound, Connecticut River Scenic Byway, fertile valley soils for farming, and sand and gravel deposits), and the need to balance the hydroelectric use of the river with these other important values.

The timeframe of the dam relicensing is for between 30 to 50 years. As such, we feel it is imperative to submit comments on these dam facilities and operations that will impact this region for a generation.

Excerpts from the **2022 MARC Regional Plan: Enhanced Energy Plan (Volume 3 or 3)**:

This plan assumes that the construction of new dams is highly unlikely due in part to the negative impacts dams have on rivers and streams. Dams act as a barrier that interferes with natural river dynamics, resulting in negative consequences such as:

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- *Sediment build-up above the dam (up-stream), and erosion of the stream bed below the dam (down-stream);*
- *Lowered dissolved oxygen levels;*
- *Higher water temperatures;*
- *Impeded nutrient flow – nutrients are blocked from flowing downstream of the dam;*
- *Fragmented aquatic passage; and/or,*
- *Trapped pollution in the sediment build-up above the dam (up-stream).*

Additionally, the recurring fluctuation of water levels as a result of hydropower operations can cause piping erosion. Common issues of concern include, but are not limited to, erosion, methylmercury, fish passage and recreation.

The following statements of policy apply to the development of hydropower projects that impact the Mount Ascutney Region:

- 1) Encourage exploration of micro-hydropower that has minimal impacts on environment.*
- 2) Support efforts to discuss the possibility of exemptions to FERC or other permitting requirements for micro-hydropower projects.*
- 3) The applicant must provide adequate levels of data and analysis in order to evaluate the impacts that the hydropower facility will have on river dynamics and flood resiliency.*
- 4) When hydropower facilities are to be licensed or relicensed, best management practices must be considered to avoid or minimize undue adverse impacts. Such practices include but are not limited to: providing adequate fish passage, moderating ramping rates, maintaining daily operating logs to be sure that the water levels remain within license limits, and requiring an independent gage to be installed to verify dam operations.*
- 5) A mitigation and enhancement fund shall be considered as one way to help address potential negative impacts of dam operations.*

With the Regional Plan as a basis, MARC offers the following comments on FERC Project Numbers 1892, 1855 and 1904:

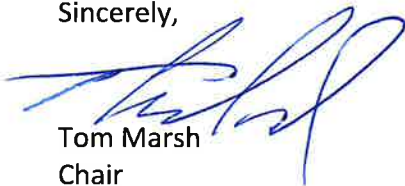
1. MARC is pleased to see the proposed run-of-river-like operations that will minimize water level fluctuations. These proposed changes will likely benefit river dynamics and the biological community of the river, as it more closely resembles natural conditions. However, we do not see adequate scientific evidence in the record about how the existing and proposed dam operations impact water quality, sediment transport and riverbank erosion. Furthermore, the northerly 15-Mile Falls facilities operate under a different license and a different flow regime. Where these two differing flow regimes meet (between Ryegate and Wilder) and how that may impact erosion is unknown.
 - a. RECOMMENDATION: We ask FERC to require the applicant to develop a multi-decade Riverbank Monitoring and Erosion Control Plan to comprehensively track changes in river bank erosion, erosion rates, and changes in sediment transport as a result of operational changes under the new license.
2. Under the public trust doctrine in both NH and VT, the Connecticut River and the lands lying underneath are held in trust by the states for the benefit of all residents. A private company is now

seeking to update their licenses to operate dams on these public waters. As such, we believe that they should pay their fair share to help provide and improve public access to these waters. There are numerous needs to improve existing recreational facilities and access points along the river. Over the course of the next 30 to 50 years, there will undoubtedly be new needs that arise.

- a. **RECOMMENDATION:** We ask FERC to include in the license a requirement for the licensee to develop and implement a Recreational Management Plan that articulates the licensee's responsibility to build and maintain recreational facilities and operate the project in specific ways to provide and enhance recreational activities along the Connecticut River, including improvements to all portages and boat landings, enhanced access to the river for recreation as well as for food/sustenance (e.g., lower income residents, Abenaki), and ADA compliant facility improvements for better access for all users.
 - b. **RECOMMENDATION:** In addition to specific required mitigation measures outlined in the license to address recreation, invasive species, protection of wildlife habitat and riparian areas, and erosion, etc., we ask FERC to include in the license a requirement to establish an adequate mechanism (i.e., a Mitigation and Enhancement Fund as suggested by the Connecticut River Joint Commissions) to pay for additional unanticipated costs to address specific impacts, including those listed above.
3. MARC is pleased to see the proposed fish passage improvements included in the application materials.
- a. **RECOMMENDATION:** We ask FERC to require the shortest practicable timeline, ideally less than 10 years, to implement the currently proposed fish passage improvements to minimize continuing negative impacts on migratory fish species, and that FERC require the licensee to remove the Bellows Falls Salmon Dam at or before installation of the new low-flow turbine in the dam.
4. Long before European settlement, Abenaki people inhabited this area, and there are significant sites along the Connecticut River that ought to be protected.
- a. **RECOMMENDATION:** We ask FERC to include a license article requiring a Historic Properties Management Plan be filed within two years of the license issuance, and that this plan must be constructed with significant input from the four State-recognized bands of Abenaki people in Vermont.

MARC's Board of Commissioners met on May 20, 2024 and authorized the submission of the above comments. Thank you for your consideration.

Sincerely,



Tom Marsh
Chair

Document Content(s)

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